

NO. 3:07-CV-0399-O(BH)

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED	
JAN 24 2014	
CLERK, U.S. DISTRICT COURT By _____ Deputy _____	

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

QUINTIN LEE ALONZO
PETITIONER

VS

RESPONDENT
WILLIAMS STEPHEN, DIRECTOR

OBJECTIONS WITH REQUEST
TO WITHDRAW 60(B) MOTION

PRO SE

Quintin Lee Alonso
Robertson Unit # 1158688
12071 FM 3522
Abilene, TX. 79601

01.17.14

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

QUINTIN LEE ALONZO,
PETITIONER,

VS.

WILLIAM STEPHENS, DIRECTOR,
RESPONDENT.

§

§

§

§

CIVIL ACTION NO.

3:07-CV-0399-O(BH)

OBJECTIONS WITH
REQUEST TO WITHDRAW 60(B) MOTION

TO THE HONORABLE REED O'CONNOR:
U.S DISTRICT COURT JUDGE.

COMES NOW, the above named petitioner, acting in his own behalf, respectfully objecting to the Magistrate Judge's Findings, Conclusions, and Recommendation, as well as, requesting the Court to allow him to withdraw the filed 60(B) motion.

IN SUPPORT THEREOF, petitioner would show the Court:

I
JURISDICTION

THIS COURT'S JURISDICTION is retained pursuant the initial filing of the 60(B) motion, F.R.C.P., as well as, this Court's recent Magistrate's Recommendation.

II
OBJECTIONS

PETITIONER LODGES OBJECTIONS accordingly:

[1] Petitioner objects to the Magistrate recommending his 60(B) motion be converted to a successive writ application that is clearly inadequate on its face. The 60(B) motion in no way meets the requirements of a successive writ filing and thus is doomed to fail:

a. Rather than waste further time and resources of the Judicial system by transferring a frivolous filing to the U.S. Court of Appeals for the Fifth Circuit, petitioner should be granted the option to withdraw as requested; or, said 60(B) motion should be denied-dismissed as a pro se failure because it was never petitioner's intent to file anything but a 60(B) motion which was apparently predicated upon a mis-understanding that the district court had procedurally barred his ineffective assistance of counsel claim related to the prosecutorial misconduct that was defaulted.

III CONCLUSION

IN CLOSING, petitioner requests the Court to allow him to withdraw the pending 60(B) motion because it was predicated upon a reading of the record [without consideration of the Magistrate's Findings, Conclusions and Recommendation related to his original § 2254 petition] which appeared to him to indicate that the I.A.C. claim(s) related to the prosecutorial misconduct issue of eliciting false testimony was likewise procedurally barred. Petitioner lost the Magistrate's original findings, conclusions, recommendations related to the § 2254 petition that was dismissed & denied. He realizes that is no excuse but its simply the way it is. Thank you.


Quintin Lee Alonzo

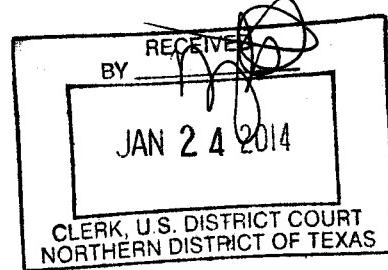
QUINTIN LEE ALONZO: PETITIONER

CERTIFICATE OF SERVICE

I, Quintin Lee Alonzo, petitioner in the foregoing Objections with request to withdraw 60(B) motion, does hereby certify that true copies of said were placed in the Robertson Unit's mail box on the **17th DAY OF JANUARY 2014**, I attest to this by affixing my signature below:


SIGNATURE: QUINTIN LEE ALONZO
ROBERTSON UNIT # 1158688
12071 FM 3522
ABILENE, TX. 79601

17 January 2014



TO: U.S. District Court Clerk:
1100 Commerce St., Rm. 1452
Dallas, Texas 75242

FR: Quintin Lee Alonso
Robertson Unit # 1158688
12071 FM 3522
Abilene, TX. 79601

RE: Filing of enclosed Objections
with request to withdraw 60(B) motion
in Civil Action No. 3:07-CV-0399-O(BH).

Dear Clerk

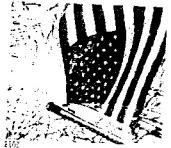
Please file the enclosed objections with request for 60(B)
motion to be withdrawn. Thank you.

Please find enclosed a self-addressed envelop with an extra
copy of this letter for your convenience in date-stamping as file
marked and return to me for my records. Again, thank you.

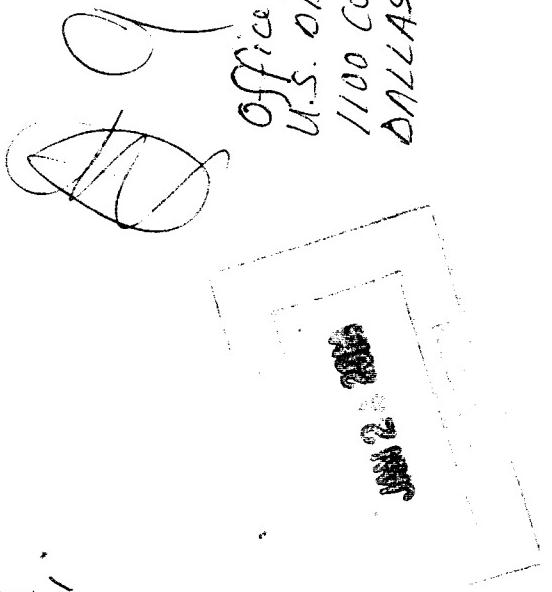
Sincerely,

Quintin
Quintin

cc



Office of the Clerk:
U.S. District Court
1100 Commerce St.
DALLAS, TX 75242



Quintini Alonso
ROBERTSON 1158655
12671 FM 3522
Abilene, TX 79601